

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 8.4 FEET FOR AN EXISTING ACCESSORY STRUCTURE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (BETTY MCLELLAN, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Rich Steiger **EXT.** 7936

Agenda Date 1-26-04 **Regular** ☒ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

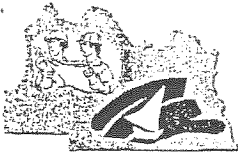
1. **APPROVE** THE REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 8.4 FEET FOR AN EXISTING ACCESSORY STRUCTURE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (BETTY MCLELLAN, APPLICANT); OR
2. **DENY** THE REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 8.4 FEET FOR AN EXISTING ACCESSORY STRUCTURE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (BETTY MCLELLAN, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(District 2 – McLain)

(Rich Steiger, Planner)

GENERAL INFORMATION	APPLICANT: BETTY MCLELLAN LOCATION: 352 EAST RIDGEWOOD STREET ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT CONSTRUCTED A 440 SQUARE FEET (11 FEET X 40 FEET) ACCESSORY STRUCTURE (ALUMINUM CARPORT) WITHOUT A BUILDING PERMIT. • THE APPLICANT RECEIVED A NOTICE OF VIOLATION FROM THE SEMINOLE COUNTY BUILDING DEPARTMENT FOR THE UNPERMITTED CONSTRUCTION OF THE ACCESSORY STRUCTURE, WHICH ENCROACHES 1.6 FEET INTO THE MINIMUM SIDE YARD SETBACK. • THERE IS NO RECORD OF PREVIOUSLY GRANTED VARIANCES OR SPECIAL EXCEPTIONS FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE APPLICANT HAS FAILED TO DEMONSTRATE A

	<p>HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES.</p> <ul style="list-style-type: none">• THE REQUEST IS NOT THE MINIMUM VARIANCE THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY. THE EXISTING STRUCTURE COULD BE RELOCATED TO COMPLY WITH THE MINIMUM SIDE YARD SETBACK.• THE REQUEST WOULD CONFER ON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER LANDS IN THE ALTAMONTE HEIGHTS SUBDIVISION BY ALLOWING ENCROACHMENT INTO THE SIDE YARD SETBACK THAT EXCEEDS THE LIMITS OF NEIGHBORHOOD DEVELOPMENT TRENDS.
STAFF RECOMMENDATION	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUEST UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE EXISTING COVERED SCREEN ROOM AS SHOWN ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7385 FAX APPL.NO. 22003-188

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

☒ **VARIANCE** (west) SIDE SETBACK VAR. FROM 10' TO 8' 4" FOR EXISTING ACCESSORY BLDG.

☐ **SPECIAL EXCEPTION**

☐ **MOBILE HOME SPECIAL EXCEPTION**

☒ EXISTING ☐ PROPOSED ☐ REPLACEMENT

MOBILE HOME IS FOR

YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____

ANTICIPATED TIME MOBILE HOME IS NEEDED _____

PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN _____

MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	Betty McLellan	Contact:
ADDRESS	352 E. Ridgewood Street Altamonte Springs, FL	Jim McLellan 321-231-1319
PHONE 1	407-331-7097	
PHONE 2		
E-MAIL		

PROJECT NAME: West Altamonte Heights

SITE ADDRESS: 352 E. Ridgewood Street

CURRENT USE OF PROPERTY: R1AA

LEGAL DESCRIPTION: see prop app sheet (attached)

SIZE OF PROPERTY: ~11,900 sq. acre(s) PARCEL I.D. 11-21-29-503 0600-0180

UTILITIES: ☐ WATER ☐ WELL ☐ SEWER ☒ SEPTIC TANK ☐ OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS Accessory Structure

(aluminum carport) without a permit and does not meet the required setbacks for

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

R-1AA zoned proper

This request will be considered at the Board of Adjustment regular meeting on JAN 06, 6 PM (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Betty McLellan
SIGNATURE OF OWNER OR AGENT*

11-18-03
DATE

R.S.

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

PROCESSING:

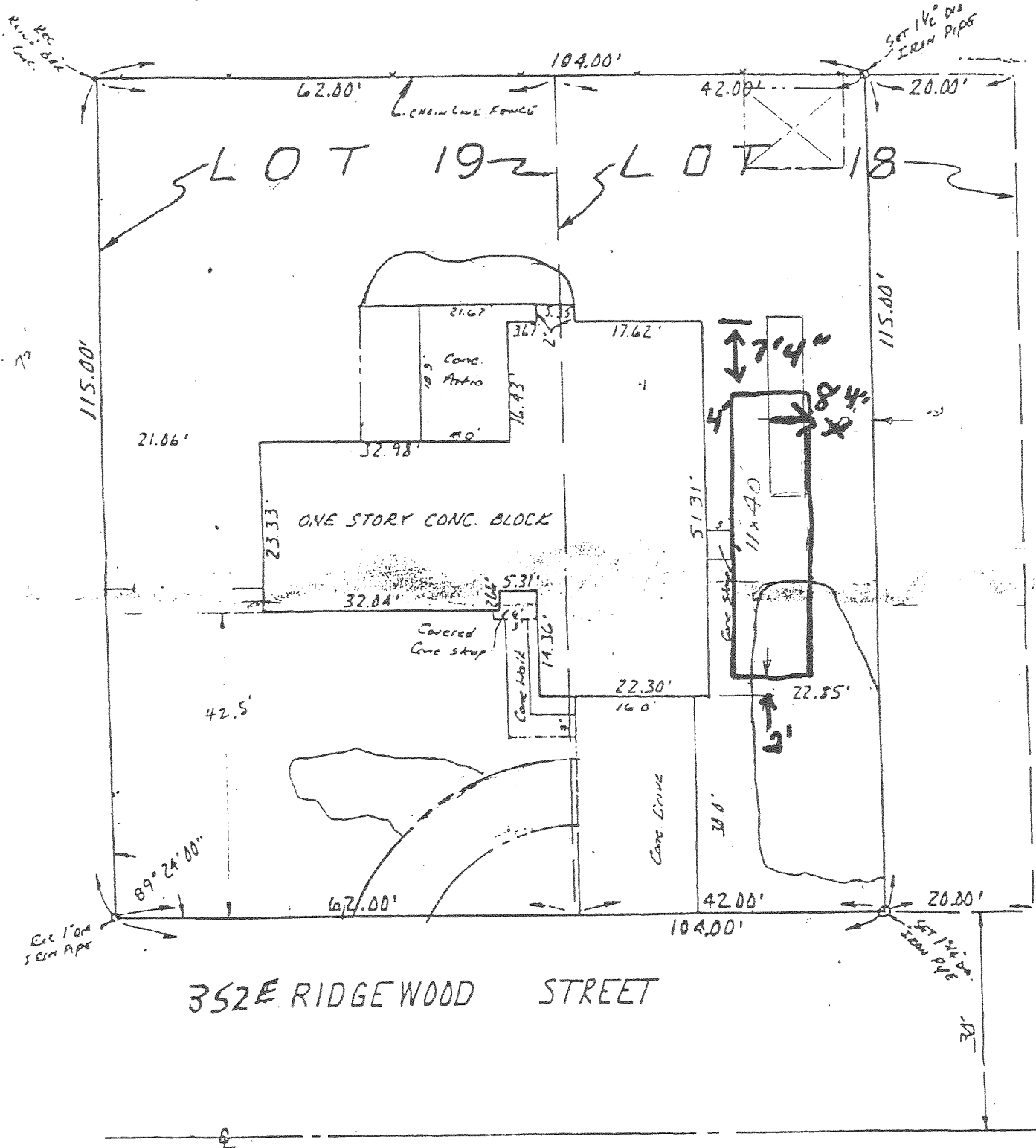
FEE: \$150 COMMISSION DISTRICT 3 FLU/ZONING LDR/R1AA


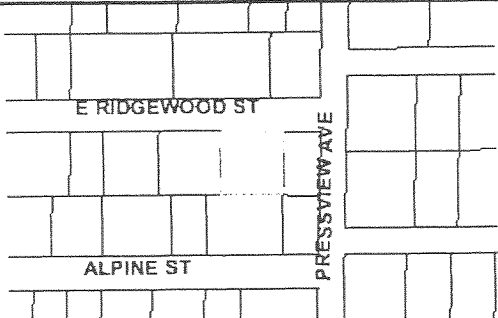

LOCATION FURTHER DESCRIBED AS LOCATED ON THE SOUTH SIDE OF EAST RIDGEWOOD ST. ABOUT 130' FROM THE INTERSECTION OF E. RIDGEWOOD ST. AND PRESSVIEW AVE.

PLANNER V.B. DATE Nov 20, 2003

SUFFICIENCY COMMENTS Check commission district

JIM McLELLAN
 352 E RIDGEWOOD ST
 ALTAMONTE SPRINGS, FL
 331-7097 32701

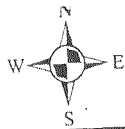


PARCEL DETAIL	REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALES SEARCH	◀ Back ▶																																				
 <p>Seminole County Property Appraiser Services 1001 E. First St. Sanford FL 32771 407-665-7506</p>																																									
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 11-21-29-503-0G00-0180 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: MC LELLAN BETTY R Exemptions: 00-HOMESTEAD</p> <p>Address: 352 RIDGEWOOD ST</p> <p>City, State, Zip Code: ALTAMONTE SPRINGS FL 32701</p> <p>Property Address: 352 RIDGEWOOD ST E ALTAMONTE SPRINGS 32701</p> <p>Subdivision Name: WEST ALTAMONTE HEIGHTS SEC 2</p> <p>Dor: 01-SINGLE FAMILY</p>				<p style="text-align: center;">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$93,817</p> <p>Depreciated EXFT Value: \$3,494</p> <p>Land Value (Market): \$22,214</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$119,525</p> <p>Assessed Value (SOH): \$94,203</p> <p>Exempt Value: \$25,500</p> <p>Taxable Value: \$68,703</p>																																					
<p style="text-align: center;">SALES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>07/1979</td> <td>01233</td> <td>1594</td> <td>\$63,000</td> <td>Improved</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>				Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	07/1979	01233	1594	\$63,000	Improved	<p style="text-align: center;">2003 VALUE SUMMARY</p> <p>2003 Tax Bill Amount: \$1,015</p> <p>2003 Taxable Value: \$66,495</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																									
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																									

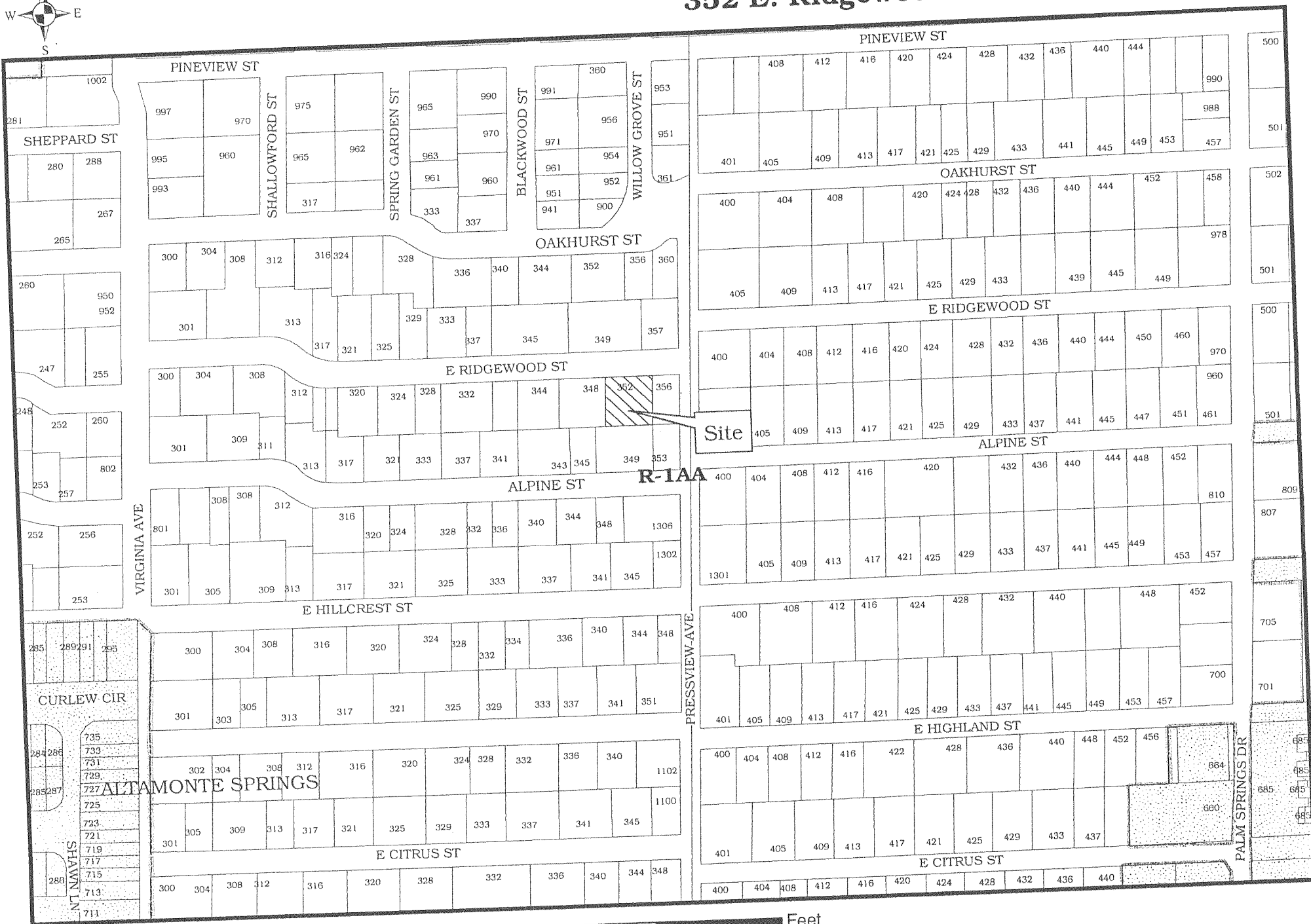
BACK

PROPERTY APPRAISER
HOME PAGE

CONTACT



Betty McLellan 352 E. Ridgewood Street



0 150 300 600 Feet



Sheriff Donald F. Eslinger
Member, Florida Sheriffs Association
Member, National Sheriffs' Association

An Internationally Accredited Agency



October 28, 2003

BETTY R MC LELLAN
352 E RIDGEWOOD STREET
ALTAMONTE SPRINGS, FL 32701

Re: 11-21-29-503-0G00-0180 - located at 352 E RIDGEWOOD STR

File: 3-CE0000210

Dear Property Owner and all Interested Parties:

This is to advise you that the above-described property has been inspected and violation(s) of the Seminole County Code have been identified. Please note the specific violation(s) listed on the violation summary report.

The violation shall be corrected by November 14, 2003. Failure to comply may result in formal charges brought before the Seminole County Code Enforcement Board. The Board has been granted the authority to levy fines in an amount up to \$250.00 per day for every day the violation exists.

Please contact the Code Enforcement Inspector, Dorothy Hird at (407) 331-3845, for any information regarding this matter.

Thank you for your attention in this matter.

Sincerely,

Dorothy Hird
Code Enforcement Officer

Enclosure



Seminole
County

Sheriff Donald F. Eslinger

Member, Florida Sheriffs Association

Member, National Sheriffs' Association

An Internationally Accredited Agency



CASE NUMBER:

3-CE000210

PROPERTY ADDRESS:

352 E RIDGEWOOD STREET

VIOLATION: MISCELLANEOUS ZONING

DESCRIPTION: SCLDC CHAPTER 30 SECTION 30.206 (b) and (c)

Accessory structure (aluminum carport) without a permit and does not meet the required setbacks for R-1AA zoned property.

CORRECTIVE ACTION: Obtain the necessary permit for the accessory structure. If the accessory structure does not meet the required setbacks, move the structure to meet the setbacks or apply for a variance thru the Planning Department.

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 24 BLK G WEST ALTAMONTE HEIGHTS SEC 2 PB 10 PG 75

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: BETTY MCLELLAN
352 EAST RIDGEWOOD STREET
ALTAMONTE SPRINGS, FL 32701

Project Name: EAST RIDGEWOOD STREET (352)

Requested Development Approval:

(WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 8.4 FEET FOR AN EXISTING ACCESSORY STRUCTURE

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Rich Steiger, Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. The variance granted will apply only to the proposed accessory structure as shown on the attached site plan and elevation drawings.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: